

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:21-cv-00025-D

DANIEL MCCARTHY; and PHILIP SCALZO,

*Plaintiffs,*

v.

ACTIVE ENERGY GROUP, PLC;  
LUMBERTON ENERGY HOLDINGS LLC;  
ADVANCED BIOMASS SOLUTIONS, PLC; and ACTIVE ENERGY RENEWABLE POWER, LLC,

*Defendants.*

**CONSENT MOTION TO EXTEND TIME FOR PLAINTIFFS RESPONSE TO DEFENDANTS FIRST DISCOVERY REQUESTS**

NOW COME Plaintiffs DANIEL MCCARTHY; and PHILIP SCALZO (“**Plaintiffs**”), by and through counsel, and hereby move for an Order, pursuant to Local Rule 6.1, for an extension of time to respond to Defendants’ ACTIVE ENERGY GROUP, PLC; LUMBERTON ENERGY HOLDINGS LLC; ADVANCED BIOMASS SOLUTIONS, PLC; and ACTIVE ENERGY RENEWABLE POWER, LLC (“**Defendants**”) first Discovery Requests. In support of the motion, Plaintiffs state as follows:

1. On June 30, 2022, Defendants’ First Set of Requests for Admissions, Interrogatories, and Request for Production of Documents were served to Plaintiffs by email, which are due accordingly on August 1, 2022.
2. The deadline has not passed as of the date of this Motion.
3. To adequately respond to the requests set forth in Defendants’ Discovery Requests, Plaintiffs request an additional thirty (30) days.

4. Counsel for Plaintiffs consulted with Counsel for Defendants regarding this Motion for Extension on August 1, 2022.

5. Counsel for Defendants consent to this extension of time.

WHEREFORE, Plaintiffs respectfully request that this Court enter and Order extending the time within which Plaintiffs may respond to Defendants first Discovery Requests through and including August 31, 2022.

This date, Monday, August 1, 2022.

**Williams & Ray, PLLC:**  
*Attorneys for Plaintiffs*



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document has been duly served on all counsel of record by filing it with the Clerk of the Court using the CM/ECF System.

This date, Monday, August 1, 2022.

**Williams & Ray, PLLC:**  
*Attorneys for Plaintiffs*



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